

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

SERGIO ALVAREZ,

Plaintiff,

v.

MORRIS-SHEA BRIDGE COMPANY,

Defendant.

Case No. 1:24-cv-00723-JLT-BAM

**ORDER DENYING PLAINTIFF'S
MOTION FOR SOONER COURT DATE**

(Doc. 16)

On June 26, 2024, Defendant Morris-Shea Bridge Company (“Defendant”) filed a motion to dismiss. (Doc. 8.) On August 1, 2024, the Court continued the Scheduling Conference in this matter to December 19, 2024 given the pending motion to dismiss. (Doc. 14.) On August 5, 2024, this Court issued Findings and Recommendations regarding Plaintiff Sergio Alvarez’s (“Plaintiff”) objections to removal and Defendant’s motion to dismiss, recommending that Plaintiff’s objections to removal be overruled, Plaintiff’s motion to remand be denied, Defendant’s motion to dismiss be granted, and Plaintiff’s complaint be dismissed without prejudice and with leave to amend. (Doc. 15.) On August 7, 2024, Plaintiff filed a “Motion for Sooner Court Date,” stating that he “would like a sooner court date than December 19 this case been getting delay for a long time because of no reason and would a sooner hearing date.” (Doc. 16.)

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Currently pending are Defendant's motion to dismiss and this Court's findings and recommendations, which must be resolved in advance of the scheduling conference. Accordingly, Plaintiff's motion for a sooner court date (Doc. 16) is DENIED.

IT IS SO ORDERED.

Dated: August 8, 2024

/s/ *Barbara A. McAuliffe*
UNITED STATES MAGISTRATE JUDGE